

# **EXHIBIT 1**

**From:** Natasha Zaslove  
**To:** Gringer\_David; Herzberg\_Arielle\_K.; Schoenfeld\_Alan\_E  
**Cc:** raymar@gilbertlitigators.com; David Copeland  
**Subject:** Re: FERPA Notices  
**Date:** Tuesday, October 31, 2023 2:13:16 PM

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**EXTERNAL SENDER**

David,

From your email below, it is not clear whether Penn has actually complied for those nine students where you state “Contact unsuccessful” and “No email on file in Penn’s records.” As you are aware, Paragraph 2 of the original FERPA Order (ECF 231) says: “The Notice shall be sent by email to the most recent electronic email address in the Defendant’s possession for each of the affected students or, if no such email address is available, by mail to the last known address of the applicant or student.”

**Please clarify whether you actually sent notices to these nine students' email and if not available, their last known address, so we know whether Penn has complied with the Order.**

With respect to the students you could not find in the Registrar, we provide further information for three of them in your chart below. If we locate additional information, we will provide it.

Parent/Donor Name(s)	Child(ren)'s Class Year(s)	Student Names from Plaintiffs' Appendix A List	Status
[REDACTED]	[REDACTED]	[REDACTED]	Could not find contact information for [REDACTED] in Penn's system  [REDACTED] University of Pennsylvania [REDACTED] Commencement Program, Bachelor of Arts: [REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	Linkedin says someone with this name applied to Penn from [REDACTED] in LA, then majored in [REDACTED], finishing in [REDACTED]. Took 6 years to finish high school. [REDACTED]
[REDACTED]	2018	[REDACTED]	Sent for [REDACTED] Contact unsuccessful  What does “Contact unsuccessful” mean? Did you send to last known email address? If so, and it did not work, did you serve at last known physical address?
[REDACTED]	2022	[REDACTED]	Contact unsuccessful  What does “Contact unsuccessful” mean? Did you send to last known email

			address? If so, and it did not work, did you serve at last known physical address?
	2019, 2023	Unknown	Contact to one unsuccessful  What does "Contact unsuccessful" mean? Did you send to last known email address? If so, and it did not work, did you serve at last known physical address?
	2021	[REDACTED]	Sent
	2023	Unknown	Sent
	2024	Unknown	Sent
	2023	[REDACTED]	Sent
	2010	[REDACTED]	No email on file in Penn's records  Did you mail to physical address, per the pertinent part of the FERPA Order: "...if no such email address is available, by mail to the last known address of the applicant or student"?
	2024	[REDACTED]	Sent
	2021	Unknown	We are unable to identify this individual based on the limited information Plaintiffs provided  [REDACTED] lives in [REDACTED] is divorced from [REDACTED]  Children are [REDACTED]
See mention of both [REDACTED] and [REDACTED] in a recent Korean-American Scholarship Foundation report: Donation from [REDACTED] and [REDACTED]	2020, 2024	[REDACTED] unknown	Sent
	2013	[REDACTED]	Sent
	2019, 2022	[REDACTED]	Sent Sent
	2022	Unknown	Contact unsuccessful  What does "Contact unsuccessful" mean? Did you send to last known email address? If so, and it did not work, did you serve at last known physical address?
	2021	[REDACTED]	Sent
	2022	[REDACTED]	Sent
			Contact unsuccessful

		2022	[REDACTED]	What does "Contact unsuccessful" mean? Did you send to last known email address? If so, and it did not work, did you serve at last known physical address?
		2021	Unknown	Sent
		2024	Unknown	Sent
		2024	Unknown	Sent
		2022	Unknown	Contact unsuccessful  What does "Contact unsuccessful" mean? Did you send to last known email address? If so, and it did not work, did you serve at last known physical address?
		2024	Unknown	We are unable to identify this individual in Penn's data  There may be a typographical error in the list. [REDACTED] and [REDACTED] a [REDACTED] [REDACTED] and [REDACTED] live in [REDACTED]. A student named [REDACTED] is Penn '24, giving her hometown as [REDACTED]. Wharton/Econ major.
		2022	Unknown	Contact unsuccessful  What does "Contact unsuccessful" mean? Did you send to last known email address? If so, and it did not work, did you serve at last known physical address?
	and [REDACTED]	2021	[REDACTED]	Sent
	and [REDACTED]	2023	[REDACTED]	Sent
		2022	[REDACTED]	Contact unsuccessful  What does "Contact unsuccessful" mean? Did you send to last known email address? If so, and it did not work, did you serve at last known physical address?
		2024	Unknown	Unable to identify this person based on the limited information Plaintiffs provided

	2024	Unknown	Unable to identify this person based on the limited information Plaintiffs provided
	2022, 2024		Could not find [REDACTED]a in Penn's system
			Sent
	2020, 2022	Unknown	Sent Sent

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On Oct 27, 2023, at 3:34 PM, Gringer, David <[David.Gringer@wilmerhale.com](mailto:David.Gringer@wilmerhale.com)> wrote:

Dear Counsel,

Penn has sent FERPA notices to 23 students/former students on your Appendix A list. We were unable to find contact information for 7 people on the list based on the limited information that you gave to us. We would need more information from you to be able to send notices and produce information. Finally, for 7 people, our initial attempts at outreach were unsuccessful and we are exploring alternative means of reaching those individuals.

Below is a chart showing which students have received a notice and which students have not:

Parent/Donor Name(s)	Child(ren)'s Class Year(s)	Student Names from Plaintiffs' Appendix A List	Status
[REDACTED]	[REDACTED]	[REDACTED]	Could not find contact information for [REDACTED] [REDACTED] in Penn's system
			Sent for [REDACTED]

	2018	[REDACTED]	Contact unsuccessful
	2022	[REDACTED]	Contact unsuccessful
	2019, 2023	Unknown	Contact to one unsuccessful Sent
	2021	[REDACTED]	Sent
	2023	Unknown	Sent
	2024	Unknown	Sent
	2023	[REDACTED]	Sent
	2010	[REDACTED]	No email on file in Penn's records
	2024	[REDACTED]	Sent
[REDACTED]	2021	Unknown	We are unable to identify this individual based on the limited information Plaintiffs provided
	2020, 2024	unknown	Sent Sent
	2013	[REDACTED]	Sent
	2019, 2022	[REDACTED]	Sent Sent
	2022	Unknown	Contact unsuccessful
	2021	[REDACTED]	Sent
	2022	[REDACTED]	Sent
	2022	[REDACTED]	Contact unsuccessful
	2021	Unknown	Sent
	2024	Unknown	Sent
	2024	Unknown	Sent
	2022	Unknown	Contact unsuccessful
	2024	Unknown	

			We are unable to identify this individual in Penn's data
[REDACTED]	2022	Unknown	Contact unsuccessful
[REDACTED]	2021	[REDACTED]	Sent
[REDACTED]	2023	[REDACTED]	Sent
[REDACTED]	2022	[REDACTED]	Contact unsuccessful
[REDACTED]	2024	Unknown	Unable to identify this person based on the limited information Plaintiffs provided
[REDACTED]	2024	Unknown	Unable to identify this person based on the limited information Plaintiffs provided
[REDACTED]	2022, 2024	[REDACTED]	Could not find [REDACTED] in Penn's system
[REDACTED]	2020, 2022	Unknown	Sent
[REDACTED]			Sent
[REDACTED]			Sent

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